

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

SHEET METAL WORKERS')	
NATIONAL PENSION FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:10-cv-158
)	
WESTWAY CONSTRUCTION, INC.,)	
)	
Defendant.)	

ORDER

This matter comes before the Court on the Report and Recommendation of the Magistrate Judge dated August 27, 2010 (Dkt. No. 14) recommending entry of default judgment against Defendant Westway Construction, Inc. Defendant has not filed any objections to the Report and Recommendation. Based on a *de novo* review of the evidence in this case, the Court adopts the findings and recommendation of the Magistrate Judge. Accordingly, it is hereby

ORDERED that judgment is entered in favor of the Sheet Metal Workers' National Pension Fund; the International Training Institute for the Sheet Metal and Air Conditioning Industry; Sheet Metal Occupational Health Institute Trust Fund; and National Energy Management Institute Committee, collectively, against Defendant Westway Construction, Inc. in the amount of \$37,475.70, which is inclusive of damages, reasonable attorneys' fees, and costs incurred to date.

It is further ORDERED that: (1) Defendant shall file the required remittance reports due to the Funds for all periods for which Defendant is obligated to file those reports with the Funds under the terms of the collective bargaining agreement; (2) Defendant shall, within 20 days of

the date of this Order, make payments due for June 2009 through November 2009 for the National Funds, and for all other periods for which it is obligated until the expiration of the current collective bargaining agreement and extensions thereto; (3) Defendant, its officers, agents, servants, employees, attorneys, and all persons acting on their behalf or in conjunction with them are restrained and enjoined from refusing to file complete, proper, and timely remittance reports with accompanying contributions for all periods for which Defendant is obligated to do so under its current and future collective bargaining agreements.

It is further ORDERED that if any action is required to enforce and collect this judgment, Plaintiffs may apply to this Court or to the court in which enforcement is sought for further reasonable attorneys' fees and costs in addition to those set out in this Order.

It is further ORDERED that the Clerk of Court is directed to enter default judgment against Defendant.

Alexandria, Virginia
September 27, 2010

/s/ [signature]
Liam O'Grady
United States District Judge